

*Lisa Crowell
Rutherford County Clerk
319 North Maple Street, Suite 121
Murfreesboro, Tennessee 37130
Beer Board Department – (615) 898-7800 ext. 4*

Beer Permit Application Instructions

DEADLINE FOR FILING APPLICATION

Applicant(s) must file application and all other required forms by the following date:

BEER BOARD MEETING DATE

Applicant(s) must appear, in person, before the Rutherford County Beer Board, in the Office of the Rutherford County Clerk located in Suite 121 at 319 North Maple Street in Murfreesboro, Tennessee, at 6:00 p.m. on the following date:

COMPLETION OF COUNTY BEER PERMIT APPLICATION

- ◆ The County Beer Permit Application must be typed or printed in black ink only.
- ◆ The County Beer Permit must be applied for in the name of the Owner(s) of the proposed beer establishment unless a Corporation owns the business. If a Corporation operates the new business, then the County Beer Permit must be applied for in the name of the Corporation.
- ◆ The Owner(s) must sign the County Beer Permit Application before a Notary Public.
- ◆ The Owner(s) must comply with the following distance and survey requirements:
 1. The Beer Establishment must be at least 600 feet from the nearest Church, School or Public Gathering Place.
 2. Owner(s) are required to file a plat survey certified by a licensed surveyor, showing the distance from the nearest Church, School or Public Gathering Place, in the Office of the Rutherford County Clerk for any of the following reasons:
 - a. The Beer Establishment is located in a newly constructed building.
 - b. The former Beer Establishment did not obtain a valid Rutherford County Beer Permit.
 - c. The former Beer Establishment obtained a valid Rutherford County Beer Permit but has been closed for more than six (6) months.

The distance must be measured by a straight-line method rather than by street or property lines from the nearest point of the beer establishment building to the nearest point of the building of the nearest Church, School or Public Gathering Place. If a survey is required, the owner(s) must file a certified plat survey, a signed "Letter of Certification" from the licensed surveyor, and the County Beer Application in the Office of the Rutherford County Clerk by the deadline date. A "Letter of Certification" form is attached to this application.

- ◆ The Applicant is required to file the County Beer Permit Application and all other required documents in this office with an application fee of **\$250.00** made payable to the Rutherford County Clerk along with a separate check made payable to the Daily News Journal for the public notice, that is required to be published, in the amount of **\$80.00** by the deadline date. (Please note that the fee is non-refundable).

COMPLETION OF BUILDING CODES, PLANNING & ZONING REQUIREMENTS

The Applicant is required to obtain a "Certificate of Occupancy" prior to the issuance of a Rutherford County Beer Permit and attach a copy of said "Certificate of Occupancy" with the Application before the deadline date. A "Certificate of Occupancy" form is attached to this application. To obtain said Certificate, schedule inspections and secure signed approval from the following Departments:

◆ BUILDING/MECHANICAL AND SIGN INSPECTION

The Applicant should contact Building Codes Director, David Jones or Assistant Building Codes Director, Loyd Hall at 898-7734 to set up an appointment for both inspections and signed approval. The Building Codes Department is located at One Public Square South, Room 101 in Murfreesboro, Tennessee.

◆ STATE ELECTRICAL INSPECTION

The Applicant should contact the State Electrical Inspection Office at 896-6117 to set up an appointment for inspection and signed approval. The State Electrical Inspection Office is located at One Public Square South in Murfreesboro, Tennessee. Applicant must give State Electrical Inspection Office at least one week notice before inspection can be scheduled.

◆ STATE ENVIRONMENTAL (SEPTIC) INSPECTION

The Applicant should contact the State Environmental (Septic) Inspection Office at 898-7891 to set up an appointment for inspection and signed approval. The State Environmental (Septic) Inspection Office is located at One Public Square South in Murfreesboro, Tennessee.

◆ SITE PLAN REVIEW AND ZONING APPROVAL

The Applicant should contact Planning Director, Doug Demosi or Assistant Planner, Elizabeth Emslie at 898-7730 to set up an appointment for both inspections and signed approval. The Planning Office is located at One Public Square South in Murfreesboro, Tennessee.

COUNTY BUSINESS LICENSE & STATE DRIVER'S LICENSE REQUIREMENT

IMPORTANT NOTICE! The applicant is required to have a county business license before a beer permit is issued. The business license application, which is attached to this application, must be turned in before the meeting and a copy of the license must be kept in the applicant's file. A copy of each owner(s) & manager(s) state driver's license must be attached to the beer permit application.

ANNUAL PRIVILEGE TAX

The Applicant will be required to pay an annual Beer Privilege Tax of \$100.00 between January 2nd and January 31st of each year. If granted a Beer Permit, the Applicant will be required to pay the following pro-rated portion of the Beer Privilege tax to the Rutherford County Clerk: \$_____.

SALES TAX REQUIREMENT

The Applicant is required to file a copy of the State Sales Tax Registration Certificate in the Office of the Rutherford County Clerk within ten (10) days following the issuance of the Beer Permit.

EXPIRATION OF RUTHERFORD COUNTY BEER PERMIT

T. C. A. 57-5-103(a)(6) states: A permit holder must return a permit to the county or the city that issued it within fifteen (15) days of termination of the business, change in ownership, relocation of the business or change of the business's name; provided, that notwithstanding the failure to return a beer permit, a permit shall expire on termination of the business, change in ownership, relocation of the business or change of the business's name.

TENNESSEE BEER LAWS

IT IS YOUR RESPONSIBILITY TO REMAIN UPDATED ON ALL TENNESSEE BEER LAWS!

You will receive a copy of the Tennessee Beer Laws at the meeting once your application has been approved; however, it is your responsibility to keep up with any changes to the laws. You may order updated copies of the Tennessee Beer Laws each year by contacting the following:

Tennessee Malt Beverage Association, Inc.
404 James Robertson Parkway, Suite 1605
Nashville, Tennessee 37219-1510
Telephone: (615) 242-7656
Fax: (615) 255-1005
E-mail: tnmaltbev@aol.com

CRIMINAL CHECKS ON EMPLOYEES OF BEER ESTABLISHMENTS

IN ORDER TO RECEIVE A PERMIT, AN APPLICANT MUST ESTABLISH THAT:

Tennessee Code Annotated 57-5-105(a)(4)... "No person employed by the applicant in such distribution or sale has been convicted of any violation of the laws against possession, sale, manufacture, or transportation of beer or other alcoholic beverages or any crime involving moral turpitude within the past ten (10) years".

Tennessee Code Annotated 57-5-105(a)(3)... "No person, firm, joint-stock company, syndicate or association having at least a five (5%) percent interest in the beer establishment nor any person to be employed in the distribution or sale of beer be convicted of any violation of the laws against possession, sale, manufacture, or transportation of beer or other alcoholic beverages or any crime involving moral turpitude within the past ten (10) years".

TO OBTAIN A CRIMINAL CHECK ON AN EMPLOYEE, PLEASE TAKE THE FOLLOWING STEPS:

MURFREESBORO CITY COURT

111 West Vine Street
Murfreesboro, Tennessee 37130
(615) 893-5210

- ◆ Appear, in person, before a Clerk in the Office of the Murfreesboro City Court, located on the second floor of Murfreesboro City Hall.
- ◆ Provide Identification such as a Driver's License to the Clerk.
- ◆ Pay a fee of \$5.00 to the Clerk.

RUTHERFORD COUNTY GENERAL SESSIONS COURT

20 Public Square North
Murfreesboro, Tennessee 37130
(615) 898-7831

- ◆ Appear, in person, before a Clerk in the Office of the General Sessions Court, on the first floor of the Judicial Building.
- ◆ Search said criminal check on computer.
- ◆ No fee is required for this service.

RUTHERFORD COUNTY, TENNESSEE BEER PERMIT APPLICATION

FOR OFFICE USE ONLY

BEER BOARD MEETING DEADLINE _____

BEER BOARD PUBLIC HEARING DATE _____

DATE BEER APPLICATION FILED _____

APPLICATION FEE PAID _____

RECEIPT NUMBER _____

PLEASE READ CAREFULLY **TYPE OR PRINT EACH ANSWER LEGIBLY IN BLACK INK**

I, HEREBY MAKE APPLICATION FOR A PERMIT TO SELL, STORE, MANUFACTURE, OR DISTRIBUTE BEER OR OTHER BEVERAGES OF FIVE PERCENT (5%) ALCOHOL AUTHORIZED TO BE SOLD, STORED, MANUFACTURED OR DISTRIBUTED UNDER THE PROVISIONS OF TENNESSEE CODE ANNOTATED 57-5-101 ET SEQ., AND BASE MY APPLICATION UPON THE ANSWERS OF THE FOLLOWING QUESTIONS:

1. Name of New Business _____

PLEASE NOTE: RUTHERFORD COUNTY BEER PERMIT MUST BE IN THE SAME NAME AS SHOWN ON COUNTY BUSINESS LICENSE, TENNESSEE STATE SALES TAX CERTIFICATE AND BUSINESS SIGN. ALL DOCUMENTS MUST BE FILED UNDER THE SAME NAME.

2. Street Address of New Business _____

City _____ State _____ Zip Code _____

3. Fax Number of New Business _____

4. Telephone Number of New Business _____

5. Rutherford County New Magisterial District Number _____
(Contact the Election Commission at (615) 898-7743 to obtain this information).

6. Nearest City to New Business _____

7. Type of Beer Permit Requested-Please Check One

- ☐ On and/or Off the Premises Beer Permit
- ☐ On the Premises Beer Permit
- ☐ Off the Premises Beer Permit
- ☐ Manufacturer's Beer Permit
- ☐ Distributor's Beer Permit
- ☐ Special Events Beer Permit

8. Nature of Business you will operate-Please Check One

- ☐ Grocery Store or Market
- ☐ Hotel or Motel
- ☐ Restaurant or Café
- ☐ Special Event
- ☐ Tavern
- ☐ Other – Please specify_____

9. Name of nearest Church to New Business_____

Street Address_____

City_____State_____Zip Code_____

Distance to nearest Church_____

10. Name of nearest School to New Business_____

Street Address_____

City_____State_____Zip Code_____

Distance to nearest School_____

11. Will this Beer Permit be used to operate two or more Restaurants or other businesses within the same building?

- ☐ Yes-Please list the names of each restaurant or business

- ☐ No

12. Former Name of Business_____

13. Former Owner(s) of Business_____

14. Name of Property Owner(s)_____

Street Address_____

City_____State_____Zip Code_____

Telephone Number_____

(ATTACH A SHEET IF MORE SPACE IS NEEDED FOR THIS QUESTION).

15. Name of Manager of New Business_____

Home Street Address_____

City_____State_____Zip Code_____

Home Telephone Number_____

Date of Birth_____

Social Security Number_____

16. Ownership of New Business – Please Check One

- ☐ Sole Ownership
- ☐ Partnership
- ☐ Firm
- ☐ Corporation
- ☐ Joint Stock Company
- ☐ Syndicate
- ☐ Association

17. Complete this question only if the **APPLICANT IS THE SOLE OWNER** of the New Business.

Name of Sole Owner_____

Home Street Address_____

City_____State_____Zip Code_____

Home Telephone Number_____

Business Telephone Number_____

Date of Birth_____

Social Security Number_____

Are you a U.S. Citizen?

- ☐ Yes
- ☐ No – Please Explain_____

Have you been convicted of any violation of the Laws of any City or State in the United States for the possession, sale, manufacture or transportation of intoxicating liquor or of any crime involving moral turpitude within the last ten years?

- ☐ Yes – Please Specify_____
- ☐ No

Have you ever been issued a Beer Permit in any State?

- ☐ Yes – Please specify State and Name of Business. Also specify if your Beer Permit has ever been revoked, suspended or denied and for what reason

- ☐ No

18. Complete this question **ONLY IF THE OWNERS OF THE BUSINESS HAVE FORMED A PARTNERSHIP**. Attach a separate sheet if there are more than two people in the partnership.

Name of Partner #1 _____

Percentage of Business owned _____

Home Street Address _____

City _____ State _____ Zip Code _____

Home Telephone Number _____

Business Telephone Number _____

Date of Birth _____

Social Security Number _____

Are you a U.S. Citizen?

☐ Yes

☐ No – Please Explain _____

Have you ever been convicted of any violation of the Laws of any City or State in the United States for the possession, sale, manufacture or transportation of intoxicating liquor of any crime involving moral turpitude within the past ten years?

☐ Yes – Please Specify _____

☐ No

Have you ever been issued a Beer Permit in any State?

☐ Yes – Please specify State and Name of Business. Also specify if your Beer Permit has ever been revoked, suspended or denied and for what reason

☐ No _____

Name of Partner #2 _____

Percentage of Business owned _____

Home Street Address _____

City _____ State _____ Zip Code _____

Home Telephone Number _____

Business Telephone Number _____

Date of Birth _____

Social Security Number _____

Are you a U.S. Citizen?

- ☐ Yes
☐ No – Please Explain _____

Have you ever been convicted of any violation of the Laws of any City or State in the United States for the possession, sale, manufacture or transportation of intoxicating liquor of any crime involving moral turpitude within the past ten years?

- ☐ Yes – Please Specify _____
☐ No

Have you ever been issued a Beer Permit in any State?

- ☐ Yes – Please specify State and Name of Business. Also specify if your Beer Permit has ever been revoked, suspended or denied and for what reason

- ☐ No

19. Complete this question **ONLY IF THE OWNERS OF THE BUSINESS HAVE FORMED A CORPORATION.** List all corporate owners having at least five percent (5%) ownership interest in the business. Attach a separate list if more space is needed.

Name of Corporate Owner #1 _____

Percentage of Business owned _____

Home Street Address _____

City _____ State _____ Zip Code _____

Home Telephone Number _____

Business Telephone Number _____

Date of Birth _____

Social Security Number _____

Are you a U.S. Citizen?

- ☐ Yes
☐ No – Please Explain _____

Have you ever been convicted of any violation of the Laws of any City or State in the United States for the possession, sale, manufacture or transportation of intoxicating liquor of any crime involving moral turpitude within the past ten years?

- ☐ Yes – Please Specify _____
☐ No

Have you ever been issued a Beer Permit in any State?

- ☐ Yes – Please specify State and Name of Business. Also specify if your Beer Permit has ever been revoked, suspended or denied and for what reason

☐ No

Name of Corporate Owner #2_____

Percentage of Business Owned_____

Home Street Address_____

City_____State_____Zip Code_____

Home Telephone Number_____

Business Telephone Number_____

Date of Birth_____

Social Security Number_____

Are you a U.S. Citizen?

☐ Yes

☐ No – Please Explain_____

Have you ever been convicted of any violation of the Laws of any City or State in the United States for the possession, sale, manufacture or transportation of intoxicating liquor of any crime involving moral turpitude within the past ten years?

☐ Yes – Please Specify_____

☐ No

Have you ever been issued a Beer Permit in any State?

- ☐ Yes – Please specify State and Name of Business. Also specify if your Beer Permit has ever been revoked, suspended or denied and for what reason

☐ No

Name of Corporate Owner #3_____

Percentage of Business Owned_____

Home Street Address_____

City_____State_____Zip Code_____

Home Telephone Number_____

Business Telephone Number_____

Date of Birth_____

Social Security Number_____

Are you a U.S. Citizen?

- ☐ Yes
- ☐ No – Please Explain _____

Have you ever been convicted of any violation of the Laws of any City or State in the United States for the possession, sale, manufacture or transportation of intoxicating liquor of any crime involving moral turpitude within the past ten years?

- ☐ Yes – Please Specify _____
- ☐ No

Have you ever been issued a Beer Permit in any State?

- ☐ Yes – Please specify State and Name of Business. Also specify if your Beer Permit has ever been revoked, suspended or denied and for what reason

- ☐ No

MAIL BEER PRIVILEGE TAX NOTICES TO _____

STREET ADDRESS OR P. O. BOX _____

CITY _____ STATE _____ ZIP CODE _____

I/WE THE UNDERSIGNED, DO HEREBY AGREE TO ABIDE BY THE FOLLOWING RULES AND REGULATIONS:

- ✓ That my/our Beer Establishment is more than 600 feet from the nearest Church, School or Public Gathering Place.
- ✓ That the sale of beer at my/our Beer Establishment will not cause congestion of traffic or interference with schools, churches, or other places of public gathering, or otherwise interfere with public health, safety and morals.
- ✓ That no person owning at least five percent (5%) interest in my/our beer establishment nor any employee working in my/our establishment, has been convicted of any violation of the laws of any State or any City for the possession, sale, manufacture or transportation of intoxicating liquor or of any crime involving moral turpitude within the last ten years will be employed at my/our Beer Establishment.
- ✓ That no alcoholic beverage, covered by this application will be sold, served or given away, at my/our Beer Establishment, between the hours of 3:00 a.m. until 6:00 a.m. on weekdays or between the hours of 3:00 a.m. and 10:00 a.m. on Sundays.
- ✓ That no alcoholic beverage will be sold to minors and that no minors will be permitted to loiter about my/our Beer Establishment.
- ✓ That the Beer Permit will be surrendered to the Rutherford County Beer Board Secretary in the Office of the Rutherford County Clerk within fifteen (15) days of the termination of my/our Beer Establishment, change in ownership of my/our establishment, relocation of my/our establishment, or change of the name of my/our establishment.
- ✓ That the Rutherford County Beer Permit will be forfeited if any Owner makes a false statement in the Beer Permit Application, and further that the Owner shall not receive any Beer Permit for ten (10) years.

I/WE CERTIFY THAT THIS APPLICATION CONTAINS TRUE INFORMATION TO THE BEST OF MY/OUR KNOWLEDGE AND BELIEF.

SIGN _____ TITLE _____

SIGN _____ TITLE _____

SIGN _____ TITLE _____

SIGN _____ TITLE _____

STATE OF TENNESSEE
COUNTY OF RUTHERFORD

Sworn to and subscribed to before me, this the _____ day of _____, _____.

(S E A L)

NOTARY PUBLIC
COMMISSION EXPIRES: _____

CERTIFICATE OF OCCUPANCY APPLICATION REGARDING BEER PERMIT

THE APPLICANT(S) MUST OBTAIN A CERTIFICATE OF OCCUPANCY, FROM THE RUTHERFORD COUNTY BUILDING CODES DEPARTMENT FOR THEIR BEER ESTABLISHMENT PRIOR TO THE ISSUANCE OF A RUTHERFORD COUNTY BEER PERMIT.

THE FOLLOWING SECTION TO BE COMPLETED BY THE APPLICANT(S):

Name of new Business _____

Address of New Business _____

Type of Business _____

Owner(s) of the New Business _____

Owner(s) of the Building _____

Name of Contact Person _____

Telephone Number of Contact Person _____

Hours Business Open for Inspection _____

Signature(s) of Applicant(s) _____

No Rutherford County Beer Permit shall be issued to any Applicant(s) who occupies or proposes to occupy premises for the sale of beer where conditions exists on such premises which are in violation of the building, electrical, and sign codes or other ordinances of Rutherford County. Therefore, Rutherford County will conduct inspections as listed below. You will be notified of any corrections that need to be made in order to comply with these regulations.

To obtain these inspections submit this application to the appropriate departments as stated in the Instruction Sheet. (Note: the Applicant(s) must obtain an Electrical Safety Permit in order to obtain the Electrical Safety Inspection). Once the Beer Establishment has been inspected and approved, the Inspectors will sign below:

FOR INSPECTORS USE ONLY			
TYPE OF INSPECTION	DATE INSPECTED	CHECK IF APPROVED	SIGNATURE OF INSPECTOR
Building/Mech.			
Electrical			
Enviro (Septic)			
Site Plan Review			
Zoning Approval			

LETTER OF CERTIFICATION OF SURVEY

I, _____,
a licensed surveyor, do hereby certify that I measured the distance from the nearest Church, School or
Public Gathering Place by a straight line method (as the crow flies) from the nearest point of the Beer
Establishment to the nearest point of the nearest Church, School or Public Gathering Place for the
following business

_____.

And, I further certify that the Beer Establishment is at least 600 feet from the nearest Church, School or
Public Gathering Place.

This the _____ day of _____, _____.

SIGNATURE OF LICENSED SURVEYOR